46 FAX 415 576 0300

6

#### PART B - FEE(S) TRANSMITTAL

end this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

or Fax (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Logibly mark-up with any corrections or use Block 1)

20350

AUG 1 1 2004

7590

06/08/2004

TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Malling or Transmission I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name Lisa Kaiser ause (Signato (Da CONFIRMATION NO.

FIRST NAMED INVENTOR ATTORNEY DOCKET NO. FILING DATE APPLICATION NO. 020144000710 1836 Pierre F. Indermuhle 01/11/2001 09/759,106

TITLE OF INVENTION: MICRODEVICE AND METHOD FOR DETECTING A CHARACTERISTIC OF A FLUID

APPLN, TYPE	SMALL ENTITY	ISSUE FE	E PUBLICATION FEB		TOTAL FEE(S	) DUE	DATE DUB	
ponprovisional	NO	\$1330		\$300		\$1630		
EXAMINER		ART UNIT		CLASS-SUBCLASS	]			
SINES, BRIAN J		1743		436-174000		_		
1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).  Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  Pree Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.			2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.		attorneys or 1 e of a single d attorney or 2 stered patent	Townsend and Crew	and Townsen	

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment. (B) RESIDENCE: (CITY and STATE OR COUNTRY)

(A) NAME OF ASSIGNEE

ZYOMYX, INC.

### HAYWARD, CALIFORNIA

Please check the appropriate assignee category or catego	ries (will not be printed on the patent);	individual	Corporation or other private group entity	O government				
4a. The following fee(s) are enclosed:	4b. Payment of Fee(s):							
<b>Issue</b> Fee		A check in the amount of the fee(s) is enclosed.						
Publication Fee	Payment by credit card. Form PTO-2038 is attached.							
Advance Order - # of Copies	OF The Director is hereby authorized by charge the required fee(s), or credit any overpayment Deposit Account Number 20-14-30 (enclose an extra copy of this form).							

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

Jey/jk Patrick R/

Reg No. 40,456

(Date) 8

-11-0

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or oth interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USFTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

08/12/2004 AWDNDAF2 00000092 201430 09759106

01 FC:1501 02 FC:1504 1330.00 DA 300.00 DA

TRANSMIT THIS FORM WITH FEE(S)

PTOL-85 (Rev. 11/03) Approved for use through 04/30/2004.

OMB 0651-0033 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE



Atty Docket No. 020144-000710US

PTO FAX NO.:

1-703-746-4000

ATTENTION:

Issue Fee Branch

Group Art Unit 1641

# **OFFICIAL COMMUNICATION**

# FOR THE PERSONAL ATTENTION OF

## ISSUE FEE BRANCH

### CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following document(s) in re Application of Pierre F. Indermuhle, et al., Application No. 09/759,106, filed January 11, 2001 for MICRODEVICE AND METHOD FOR DETECTING A CHARACTERISTIC OF A FLUID is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

#### Document(s) Attached

1. Issue Fee (1 pg.)

8-11-04 Jusa

Number of pages being transmitted, including this page:

Dated:

PLEASE CONFIRM RECEIPT OF THIS PAPER BY RETURN FACSIMILE AT (415) 576-0300

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, Eighth Floor San Francisco, CA 94111-3834 Telephone: 415-576-0200

Fax: 415-576-0300

60278138 v1